

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q66067

Akira MIYAKE, et al.

Appln. No.: 09/965,830

Group Art Unit: 1647

Confirmation No.: 3999

Examiner: J. Seharaseyon

Filed: October 01, 2001

For: NOVEL POTASSIUM CHANNEL PROTEIN

**RECEIVED**

**OCT 27 2003**

**TECH CENTER 1600/2900**

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. §§ 1.97 and 1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the document which is listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

The listed reference is of record in parent application No. 09/600,776, but was mistakenly omitted from the IDS filed in the instant application on October 1, 2001. Applicant is not submitting a duplicate copy of the reference but requests that it be listed on the face of any patent granted on the above application. (See 37 CFR §1.98(d)).

The present Information Disclosure Statement is being filed (without a Statement Under 37 C.F.R § 1.97(e)) after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application

INFORMATION DISCLOSURE STATEMENT  
U.S. Appln. No.: 09/965,830

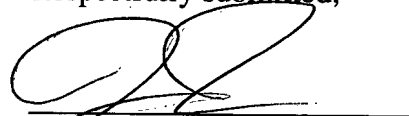
Q66067

(whichever is earlier), and therefore a check for the fee of \$180.00 under 37 C.F.R. § 1.17(p) is attached.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,



Drew Hissong  
Registration No. 44,765

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: October 20, 2003

*Complete if Known*

(use as many sheets as necessary)

Sheet	1	of	1
-------	---	----	---

Application Number	09/965,830
Confirmation Number	3999
Filing Date	October 01, 2001
First Named Inventor	Akira MIYAKE
Art Unit	1647
Examiner Name	J. Seharaseyon
Attorney Docket Number	O66067

[illegible][illegible]

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation <sup>6</sup>
		Wenmei Shi, et al. Cloning of a mammalian elk potassium channel gene and EAG mRNA distribution in rat sympathetic ganglia. <i>J. Physiology</i> 511(3):675-682 (1998).	

**Date Considered**